

# Calendar No. 667

82D CONGRESS }  
1st Session }

SENATE

{ REPORT  
No. 709

## MARIANNE AND MICHEL SPEELMAN

AUGUST 27 (legislative day, AUGUST 1), 1951.—Ordered to be printed

Mr. McCARRAN, from the Committee on the Judiciary, submitted the following

### REPORT

[To accompany H. R. 2498]

The Committee on the Judiciary, to which was referred the bill (H. R. 2498) for the relief of Marianne and Michel Speelman, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

#### PURPOSE OF THE BILL

The purpose of the bill is to grant the status of permanent residence in the United States to Marianne and Michel Speelman. The bill provides for appropriate quota deductions and for the payment of the required visa fees and head taxes.

#### STATEMENT OF FACTS

Michel Speelman is a 74-year-old native and citizen of the Netherlands. His wife Marianne Speelman, is a 34-year-old native of China and citizen of the Netherlands. They last entered the United States as visitors on January 10, 1949. Mr. Speelman was associated with banking and investment companies for a number of years and in 1912 went to China to assist as financial adviser for the New Chinese Republic at the request of Dr. Sun Yat Sen. During World War II he was interned by the Japanese. Following his release from internment by American forces, he remained in Shanghai until 1948 when he left there because of the Communist invasion.

The following letters dated October 12, 1950, to the chairman of the Committee on the Judiciary of the House of Representatives from the Deputy Attorney General with reference to H. R. 6876 and

H. R. 6877, which were bills introduced in the Eighty-first Congress for the relief of the same aliens read as follows:

OCTOBER 12, 1950.

HON. EMANUEL CELLER,  
*Chairman, Committee on the Judiciary,*  
*House of Representatives, Washington, D. C.*

MY DEAR MR. CHAIRMAN: This is in response to your request for the views of the Department of Justice, concerning the bill (H. R. 6876) for the relief of Mrs. Marianne Speelman, an alien.

The bill would provide that Mrs. Marianne Speelman shall be considered to have been lawfully admitted to the United States for permanent residence. The bill also would direct the Secretary of State to instruct the quota-control officer to deduct one number from the appropriate immigration quota.

The files of the Immigration and Naturalization Service of this Department disclose that Mrs. Marianne Speelman is a native of China, having been born in Shanghai, China, on March 25, 1917. She last entered the United States, accompanied by her husband, Mr. Michel Speelman, at the port of New York, on January 10, 1949, and was admitted under section 3 (2) of the Immigration Act of 1924 until July 10, 1949. The alien and her husband were granted extensions of their temporary stay to July 9, 1950.

The records disclose that Mrs. Speelman attended the McTyerie School, an American school in Shanghai, China, for 15 years. Upon completion of her education, she was employed as a stenographer by the Assurance Franco-Asiatique Co. for about 3 years. She remained in China during the war. She married Mr. Speelman on October 25, 1945. The Chinese racial quota, to which Mrs. Speelman is chargeable, is oversubscribed, and an immigration visa is not readily obtainable. The record presents no facts, however, which would justify granting her an exemption from the requirements of the immigration laws. The enactment of special legislation in Mrs. Speelman's behalf would undoubtedly encourage others in whose cases immigration visas are not readily obtainable to seek exemption from the general immigration laws.

Accordingly, the Department of Justice is unable to recommend enactment of the bill.

Yours sincerely,

PEYTON FORD,  
*Deputy Attorney General.*

OCTOBER 12, 1950.

HON. EMANUEL CELLER,  
*Chairman, Committee on the Judiciary,*  
*House of Representatives, Washington, D. C.*

MY DEAR MR. CHAIRMAN: This is in response to your request for the views of the Department of Justice concerning the bill (H. R. 6877) for the relief of Michel Speelman, an alien.

The bill would provide that Michel Speelman shall be considered to have been lawfully admitted to the United States for permanent residence. The bill also would direct the Secretary of State to instruct the quota-control officer to deduct one number from the appropriate immigration quota.

The files of the Immigration and Naturalization Service of this Department disclose that Mr. Michel Speelman is a native and citizen of the Netherlands, having been born in Amsterdam, Netherlands, on February 3, 1877. He was admitted with his wife to the United States, at the port of New York, on January 10, 1949, until July 10, 1949, under section 3 (2) of the Immigration Act of 1924. He and his wife were granted extensions of their temporary stay until July 9, 1950.

The records disclose that Mr. Speelman attended the commercial school in Amsterdam, and studied the Chinese language in Leyden, where he was an apprentice in a textile factory. In 1895 he went to England, where he was engaged in the Russo-Chinese bank until 1897, at which time he went to Shanghai, China, to continue his employment with that establishment. After liquidation of the Russo-Chinese bank, in 1909, he returned to Europe, where he was associated with various banking and investment companies. He returned to China in 1912, at the request of Dr. Sun Yat Sen, to assist as financial adviser for the new Chinese Republic. With the exception of short visits to Europe, he remained in Shanghai until 1946. It appears that he served as a French volunteer in the Boxer Rebellion, but was not engaged in any actual fighting. During World War II, he was

interned in various camps by the Japanese. After having been liberated by the American Mercy Mission, Mr. Speelman was allowed to stay in the French Embassy, in Peiping until October 1945, when he returned to Shanghai. On October 25, 1945, he was married to Miss Marianne Kingman, a native and citizen of China. Since their arrival in this country, Mr. and Mrs. Speelman have purchased a home in New York City.

The quota for the Netherlands, to which Mr. Speelman is chargeable, is over-subscribed, and an immigration visa is not readily obtainable. The record presents no facts, however, which would justify granting him an exemption from the requirements of the immigration laws. The enactment of special legislation in Mr. Speelman's behalf would undoubtedly encourage others in those cases immigration visas are not readily obtainable to seek exemption from the general immigration laws.

Accordingly, the Department of Justice is unable to recommend enactment of the bill.

Yours sincerely,

PETER CAMPBELL BROWN,  
*Acting Deputy Attorney General.*

Mr. Edward I. Devlin, Jr., appeared before a subcommittee of the Committee on the Judiciary of the House of Representatives and submitted the following brief in support of the bill:

IN THE MATTER OF HOUSE OF REPRESENTATIVES BILL No. 2498, EIGHTY-SECOND CONGRESS, FIRST SESSION, FOR THE RELIEF OF MARIANNE AND MICHEL SPEELMAN

MEMORANDUM IN SUPPORT OF H. R. 2498

The above bill for the relief of Marianne and Michel Speelman was introduced in the House of Representatives, Eighty-second Congress, first session, by Representative Frederic R. Coudert, of New York, and was referred to the Committee on the Judiciary. The situation presented by this bill, we believe, warrants the special consideration of this committee on humanitarian grounds.

Michel Speelman is 74 years old and is broken in health. He suffers from chronic arteriosclerosis and has stones in his left kidney which cannot be removed because of his critical heart condition. He has had several serious heart attacks (coronary thrombosis) in recent years. He is confined to his home and until recently has had the constant attention of a male nurse. He is attended at least once each week by two physicians in New York. To compel him to leave the country would, perhaps, prove fatal.

Mr. Speelman is a native of the Netherlands but he has no association whatever in his native country. He left the Netherlands for China when he was 20 years old. He lived in Shanghai, China, for 50 years and was there engaged in various businesses in important capacities affiliated with American, British, and French interests in China. In 1938 he assumed chairmanship of the International Committee for European Refugees, a charitable organization designed to provide food and lodging for refugees from Nazi persecution who had made their way to Shanghai, until they could sustain themselves in Shanghai or could succeed in emigrating to another friendly nation. The Jewish people bore the brunt of the Nazi persecution and, naturally, therefore, by far the greatest majority of the refugees cared for were Jews, though many others were also aided. The number of refugees finally registered with the committee and receiving aid from it was in the neighborhood of 13,000. In 1939, Mr. Speelman visited Paris, London, and New York and called on the heads of various charitable organizations and solicited funds for this committee. Though some support was received from England and France, most of the financial backing was received from the Joint Distribution Committee in the United States. Mr. Speelman served as chairman of the international committee in Shanghai without compensation.

After the Japanese occupied Shanghai in 1942, and because of Mr. Speelman's long association with interests of the Allied Nations and because of his work with the International Refugee Committee, the Japanese arrested Mr. Speelman, accusing him of being an American spy. In an effort to secure military and political information from him, he was tortured, beaten, and whipped and starved by the Japanese for a period of 7 days. Failing to secure any information from him, he was finally released, but as a result of this treatment had to have all of his teeth removed. A few months later, he was again arrested and was interned in Japanese prison camps under unspeakable conditions until the end of the war,

when medical aid was flown to him and others by American Army doctors. While he was in prison camps he was kept alive by food gotten to him by his present wife, then Miss Marianne Kingman, sometimes at the risk of her own life.

Before his arrest and maltreatment by the Japanese he was in excellent and robust health. When released after 3 years, he was a chronic invalid. He has, without avail, been to Zurich, Paris, and Rio de Janeiro seeking proper medical treatment. He returned to Shanghai, but in July 1948, anticipating the Communist invasion of Shanghai and always having been an open foe of communism, he left Shanghai and came to New York on a visitor's permit.

But for his incarceration as an American spy in Japanese prison camps, he could have applied for admission to the United States under the Dutch quota and in all probability would then have been granted admission to this country since it is a matter of record that from 1940 to 1946, inclusive, almost 1,000,000 immigration certificates were unused and in fact, as is also a matter of record, only 20 percent of the immigration quotas were used during the years 1937-47. Mr. Speelman's misfortune in this respect is directly attributable to his non-sectarian humanitarian work in Shanghai, and to his close association with American, French, and English interests throughout his lifetime in China.

If admitted to the United States, Mr. Speelman will not become a public charge. He is a man of considerable wealth and his income, and eventually his estate, will be subject to Federal and State taxes. In the nature of things and particularly by reason of his age and ill health, he will never compete with, or adversely affect, American labor.

Within the meaning of section 4 of the Displaced Persons Act of 1948, a displaced person is one who resides in the United States and entered lawfully as a nonimmigrant prior to April 30, 1949, and who cannot return to the country of his birth or nationality or last residence as a result of events subsequent to the outbreak of World War II, because of persecution or fear of persecution on account of race, religion, or political opinions.

Because he was born in Holland, Mr. Speelman does not qualify technically as a displaced person under the above definition. Nevertheless, within the spirit of the act he is as much in need of asylum here as those who are technically qualified to obtain the benefits of that act. All the above facts, together with the very grave condition of his health, warrant, and almost necessitate, the extension to Mr. Speelman of the protection afforded to others by the Displaced Persons Act of 1948 even though, solely by reason of his birth, he cannot qualify for admission under its provisions.

Marianne Kingman Speelman is one-fourth Chinese. Her father was a British subject. She automatically became a Dutch citizen upon her marriage in October 1945 to Mr. Speelman. She cannot return to Shanghai because of the known anti-Communist feelings of herself and her family. She could, of course, go to Holland but she has no friends, family, or associates in Holland and does not even know the Dutch language. In this situation she should not now be separated from her husband.

Filed herewith in support of the bill are the affidavits of Michel Speelman, and of Harry Taube, M. D., and of William H. Gardiner, M. D., each sworn to May 18, 1951. Attached hereto as Schedule A is a list of personal references in the United States of America, as to the character, position, and integrity of Mr. Speelman.

Since the scheduling of this hearing the Immigration Service has denied the application of Mr. and Mrs. Speelman for an extension of their temporary stay permits and has advised them that they must leave the country by October 1, 1951, under penalty of deportation.

For the above reasons it is respectfully submitted that the above bill should be favorably reported by the Committee on the Judiciary.

Respectfully submitted.

LYETH & VOORHEES,  
20 Exchange Place, New York 5, N. Y.  
EDWARD I. DEVLIN, Jr.,  
Of Counsel.



In addition, the files of the Committee on the Judiciary of the House of Representatives contain the following letter:

WILLIAM HUNT & Co., FEDERAL, INC., U. S. A.,  
HONGKONG & CHINA,  
New York 5, N. Y., June 15, 1951.

HON. EMANUEL CELLER,  
*Chairman, Committee on the Judiciary,  
House of Representatives, Washington, D. C.*

DEAR MR. CELLER: I am much interested, as of my previous letter, in the case of Michel Speelman and his wife Marianne Kingman Speelman who are referred to in H. R. 2498. This bill comes before the special committee of which Congressman Walter is chairman. The hearing is being held on Monday, June 18.

I would like to take this opportunity to inform you that I have known the Speelmans in China and the Far East, as well as the United States ever since 1928, at which time I was the representative of the United States Shipping Board in Shanghai, previous to that time, having been American vice consul at Tientsin. In my association with Mr. Speelman I have found he possessed all those characteristics essential to good American citizenship. Moreover, although he was not of American nationality, practically his complete social and cultural activities were identified with Americans and the American community.

In addition, I might add, Mr. Speelman, through his vast business interests in China, did much to financially assist American organizations, commercial and cultural. He was a member of various American club committees; in fact, he was, even at that time, more American than anything else.

He was a victim of Japanese oppression in Shanghai, having been a political prisoner of the Japanese. I have known of few cases more worthy of congressional consideration than that of Mr. Speelman and his wife. Naturally, he cannot return to China as he would be considered a particular victim for the Communists. The appropriate place for him, in my opinion, would be the United States, where, incidentally, he is undergoing medical treatment.

I feel, due to his age and physical condition, it would be unfortunate for his future health and peace of mind, if he had to depart these shores for any lands, as all of them would be foreign to him.

With kindest regards and looking forward to seeing you soon, I remain  
Very cordially yours,

WILLIAM P. HUNT.

The committee, after consideration of all the facts in the case, is of the opinion that the bill (H. R. 2498) should be enacted.

○

